

REMARKS

Claims 55-89 are pending. Claims 55-89 stand rejected. By virtue of this response, no claims have been cancelled, amended, or added. Accordingly, claims 55-89 are currently under consideration. In light of the arguments below reconsideration and allowance of all pending claims are respectively requested.

Claim Rejections under 35 USC §112

Claims 55-89 stand rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. In particular, the Examiner states with regard to claims 55, 70, 74, and 83, that “the phrase ‘a single crystal silicon structure....including two oppositely disposed substantially vertical major surfaces and including two oppositely disposed generally horizontal minor surfaces wherein the aspect ratio of major surface to minor surface is at least 5:1’ is not supported by the specification.”

Applicants respectively traverse the rejection and submit the specification describes and supports the claimed subject matter so as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. The “SUMMARY OF THE INVENTION” section on page 4, lines 19-22 clearly states “The structure includes two oppositely disposed substantially vertical major surfaces and two oppositely disposed generally horizontal minor surfaces. The aspect ratio of major surface to minor surface is at least 5:1.” (see also, the Abstract, page 39, lines 12-15). This passage found in the “SUMMARY OF THE INVENTION” section clearly supports the claimed subject matter. Additionally, the claims as originally filed, e.g., claims 1, 19, 47, 51, recite the aspect ratio of at least 5:1.

Furthermore, as described on page 18, lines 11-13, “beam structures with aspect ratios (height/width) of up to 20:1 have been fabricated using the DRIE processes described below.” Exemplary DRIE processes are described, e.g., from page 18, line 15 to page 19, lines 13. Although, this portion of the application is referring to Figure 8G, similar process steps described

with reference to Figures 8A-8G are also used during the fabrication of Figs. 9A-9D as stated on page 19, lines 18-22 of the present application.

Accordingly, the specification clearly conveys to one skilled in the art, at the time the application was filed, that the inventors had possession of the claimed invention, and the specification clearly supports the claimed subject matter. In particular, the present application clearly supports the recited feature “a single crystal silicon structure....including two oppositely disposed substantially vertical major surfaces and including two oppositely disposed generally horizontal minor surfaces wherein the aspect ratio of major surface to minor surface is at least 5:1,” and the rejection should be withdrawn.

Therefore, Applicants respectfully request withdrawal of the rejection and allowance of claims 55-89.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 356952000304. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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